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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.750 OF 2003
IN
SUIT NO.1488 OF 1980

Shamlal T. Hinduja ...Plaintiff

V/s.

Chetandas Vehrumal & Ors. ...Defendants

Mr.P.G. Lad, Advocate, for the Plaintiff.

Ms. Priya Ranade, Advocate, i/b. Shantilal & Co., for
Defendant Nos.6 to 8 and 10A.

CORAM: S.J.VAZIFDAR, J.
DATED: 4TH SEPTEMBER, 2006.

P.C. :-

. By consent the Notice of Motion is heard finally.

2. This Notice of Motion has been taken out by the Plaintiff for the appointment of a Court Receiver on certain properties and for seeking directions against the Court Receiver to collect the amounts from various third parties.

3. The Notice of Motion is misconceived.

4. Mr. Lad stated that the prayers in the Notice of Motion are only for the purpose of executing an order dated 5th February, 1981 whereby the Court Receiver was appointed as the Receiver in respect of the assets of the suit partnership.

5. The suit is for dissolution and accounts of the

suit partnership. The Plaintiff's grievance is that the Court Receiver has not executed the order dated 5th February, 1981.

6. On behalf of the Defendants it is alleged that the Court Receiver has been unable to execute the order due to Plaintiff's negligence / default in not furnishing the necessary particulars. Be that as it may the Plaintiff is to seek appropriate directions before the Court hearing the Receiver's report.

7. The Plaintiff is at liberty to apply to the Receiver to make a report and proceed accordingly.

8. The Notice of Motion is accordingly disposed of.